

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 13, 2009. Claims 2 to 8, and 10 to 23 are pending in the application, of which Claims 17 and 20 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 and 17 were rejected under 35 U.S.C. § 101 as allegedly not falling within one of the four statutory categories of invention. Without conceding the correctness of the rejection, Applicants have canceled Claim 1 without prejudice or disclaimer of subject matter and amended Claim 17 to clarify that the method of Claim 17 is performed by a processor. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1, 2, 4 to 10 and 12 to 23 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 7,206,804 (Deshpande). Claims 3 and 11 were rejected under 35 U.S.C. § 103(a) over Deshpande and U.S. Published Appln. No. 2002/0033837 (Munro). Reconsideration and withdrawal of these rejections are respectfully requested.

The present invention concerns creating multimedia content. In one aspect of the invention, an image that is intended for inclusion in a multimedia content is analyzed to determine what sub-images and resolutions for those sub-images are present in the image. The sub-images are displayed to a user and the resolution of the highest resolution sub-image is stored with the multimedia content as the highest resolution that a user can expect when viewing the multimedia content.

Turning to specific claim language, Claim 17 is directed to a method of creating a multimedia content. The method comprises selecting a digital image to be inserted in the multimedia content, selecting a resolution associated with a sub-image of one or more sub-images displayed by means of a display method comprising determining a set of resolutions

present in the digital image, obtaining coded data of the sub-images associated with each of the resolutions determined during said determining step, wherein said obtaining step includes a step of extracting from said digital image all data necessary to decode all the resolutions, decoding the obtained coded data, before displaying any sub-image, so as to obtain a sub-image associated with each previously determined resolution and displaying all the sub-images. Then, information on the sub-image with the selected resolution, which is a highest resolution that can be retrieved by an end user when displaying the multimedia content, is recorded in a file describing the multimedia content.

Amended independent Claim 20 is directed to an apparatus substantially in accordance with the method of Claim 17.

Applicant respectfully submits that the applied reference, namely Deshpande, is not seen to disclose or to suggest all of the features of independent Claims 17 and 20. In particular, Deshpande is not seen to disclose or to suggest at least the feature of recording in a file describing the multimedia content, information on the sub-image with the selected resolution, which is a highest resolution that can be retrieved by an end user when displaying the multimedia content.

In contrast to the present invention, Deshpande describes a method and system for transmitting digital images, wherein image data encoded using JPEG2000, which is a scalable encoding format, are transmitted from a server to a client via the HTTP protocol. According to Deshpande, an index file can be downloaded by the client, for example from a Web server. The index file may contain information about an image, for example taken from the main header. (See Deshpande, column 4, lines 11 to 14). The index file may also contain information on the available resolutions.

According to Deshpande, a thumbnail image is also transmitted to the client. Then the client can zoom in on the thumbnail so as to receive a higher resolution of the same image. (See Deshpande, figures 9 and 10). The thumbnail image and a higher resolution image are represented on the same display window. As specified by Deshpande, the client application “requests the data needed at the desired resolution and displays the higher-resolution image 116 to the user in graphics window 110.” (See Deshpande, column 12, lines 35 to 37). In particular, and as noted in the Office Action, Deshpande discloses that a “user may select a higher resolution.” (See Deshpande, column 12, line 33). As such, Deshpande discloses that the “desired” resolution is not the highest resolution that can be accessed by the user as featured in the claims.

In addition, Applicants submit that Deshpande concerns client-server interaction, where a client can request data available on the server. Deshpande does not address how multimedia content is created by a content creator as featured in the claims. To clarify this distinction, a feature of recording the multimedia content has been added to the claims to emphasize that the multimedia content is actually being created, rather than merely being served.

In light of these deficiencies in Deshpande, Applicants submit that Claims 17 and 20 are now in condition for allowance and respectfully request same.

The other pending claims in this application are each dependent from the independent claims discussed above and are therefore believed allowable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

CONCLUSION

No claim fees are believed due; however, should it be determined that additional claim fees are required, the Director is hereby authorized to charge such fees to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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